

Appln. No.: 09/657,041

BSI-430US8 3-3
#14**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 09/657,041
Applicant: Leonard Pinchuk et al.
Filed: 9/5/2000
Title: Expandable Supportive Branched Endoluminal Grafts
T.C./A.U.: 3731
Examiner: Michael H. Thaler
Confirmation No.: 9622
Docket No.: BSI-430US8

**RECEIVED
CENTRAL FAX CENTER**

FEB 09 2004

OFFICIAL**COMMUNICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with telephone conversations between the applicants' below signed representative and Examiner Thaler, the applicants respectfully submit the following to satisfy remaining formality requirements:

1. Replacement Drawing Sheet

Enclosed is the drawing sheet containing Figures 14-17 with "Amended" marked thereon indicating that changes were made to the drawings.

2. Claims

A copy of claims 40-42 which were previously submitted are now enclosed with all of the claims as amended underlined.

Appln. No.: 09/657,041

BSI-430US8

3. Declaration Pursuant to 37 C.F.R. § 1.47(A)

A Declaration is submitted in accordance with 35 U.S.C. § 116, 37 C.F.R. § 1.47(a) and M.P.E.P. 409.03 *et seq.* because inventor Rysler Alcime cannot be reached after diligent effort, or because he refuses to sign. Also enclosed to support this declaration is a Statement of Facts in Support of Filing on Behalf of Non-Signing Inventors.

Conclusion

The applicants respectfully assert that all requirements by the Examiner have now been met. A notice of allowance of a Reissue Patent with claims 1-30 and 40-42 is respectfully requested.

Respectfully submitted,


Jonathan H. Spadt, Reg. No. 45,122
Attorney for Applicants

JHS/dhm

Attachments: Amended Sheet of Figures 14-17 (1 sheet)
Claims 40-42 (underlined)
Declaration Pursuant to 37 C.F.R. § 1.47(A)

Dated: February 9, 2004

☒ P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

☐ P.O. Box 1596
Wilmington, DE 19899
(302) 778-2600

Appln. No.: 09/657,041

BSI-430US8

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (703) 872-9306 on the date shown below.

February 9, 2004

Denise Merga

Amended

FIG.14

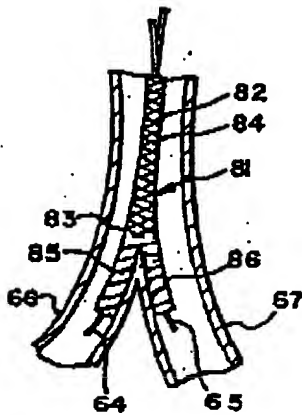


FIG.15

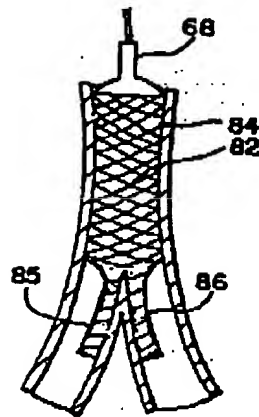


FIG.16

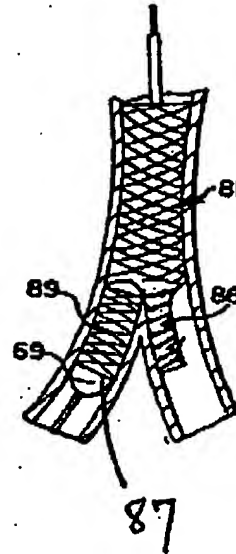
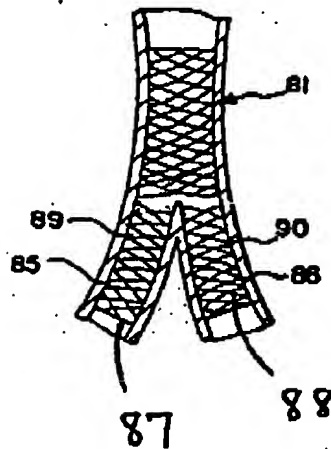


FIG.17



40. A multi-component bifurcating expandable supportive endoluminal graft comprising:

a plurality of expandable supportive endoluminal components adapted to be individually deployed at a selected location within a body vessel, each said supportive endoluminal graft component being radially compressible for endoluminal insertion and radially expandable for deployment at a desired location within a body vessel;

one of said expandable supportive endoluminal components is a trunk component, said trunk component generally surrounding a trunk liner positioned within said trunk component, said trunk liner having a generally cylindrical body portion and two leg portions, each said leg portion defining a leg opening, wherein the generally cylindrical body portion of said liner and portions of said leg portions abut said trunk component and are secured to said trunk component, and portions of said leg portions not abutting said trunk component abut one another and are secured to one another;

at least one other of said expandable supportive endoluminal components is a generally cylindrical supportive leg component; and

said generally cylindrical supportive leg component and one of said leg portions of said liner, when said leg component and trunk component are deployed within the body vessel, are telescopically positioned with respect to each other.

41. The supportive endoluminal graft of claim 40, wherein said generally cylindrical supportive leg component has an end portion which, when deployed, is positioned within said leg opening of the trunk liner.

42. The supportive endoluminal graft of claim 40 or claim 41, wherein said plurality of expandable supportive endoluminal components are self-expanding.



RatnerPrestia

WE SPECIALIZE IN THE LAW OF CREATIVITY®

☒ Suite 301, One Westlakes, Berwyn
P.O. Box 980
Valley Forge, PA 19482-0980
Phone: 610-407-0700
Fax: 610-407-0701

☐ Nemours Building
1007 Orange Street, Suite 1100
P.O. Box 1596
Wilmington, DE 19899
Phone: 302-778-2500
Fax: 302-778-2600
www.ratnerprestia.com

☐ Suite 265
Commerce Corporate Center
5100 Tilghman Street
Allentown, PA 18104
Phone: 610-530-8100
Fax: 610-530-8200

FAX FILING IN U.S. PATENT & TRADEMARK OFFICE

DATE: 2/9/2004

TIME:

TO:	Examiner Thaler	FAX NO.:	703-872-9306	RECEIVED CENTRAL FAX CENTER FEB 09 2004
FROM:	Jonathan H. Spadt	ADMIN. ASST.:	Denise Morgan	
APPLN. NO.:	09/657,041	ATTY. DOCKET NO.:	BSI-430US8	OFFICIAL
TITLE OF APPLN.:	Expandable Supportive Branched Endoluminal Grafts			
FILING DATE:	9/5/2000	ART UNIT:	3731	
FIRST INVENTOR:	Leonard Pinchuk	CONF. NO.:	9622	
TITLE OF DOCUMENT (and List of Attachments): 3 pg. communication; 1 replacement sheet of drawings; claims underlined (1 pg.); Declaration Pursuant to 37 C.F.R. § 1.47(A) (8 pages); Fee Transmittal (In dup.)				
1 pg. facsimile coversheet; Added Page To Combined Declaration And Power Of Attorney For Signature By Joint Inventors On Behalf Singing Inventors Who Refuses To Sign Or Cannot Be Reached (37 Cfr 1.47(A)) (1 pg.)				

Total Number of Pages: 18 (Including this form)

COMMENTS

CONFIDENTIAL AND PRIVILEGED ATTORNEY/CLIENT INFORMATION

This facsimile transmission (and/or documents accompanying it) may contain attorney/client privileged communications and confidential business information that is intended for use only by the individual or company to whom it is addressed. Disclosure, interception, copying or any other use of this transmission by anyone other than any intended recipient is prohibited. If you receive this transmission by mistake, please notify the sender.

Please notify us immediately if you have not received the number of pages indicated above.


PTO/SB/21 (08-03) (AW 07-03)

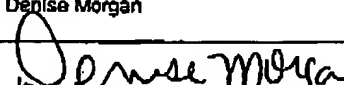
Approved for use through 04/30/2003. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/857,041
	Filing Date	9/5/2000
	First Named Inventor	Leonard Pinchuk et al.
	Art Unit	3731
	Examiner Name	Michael H. Thaler
	Attorney Docket No.	B81-430US8
Total Number of Pages in This Submission 18		

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): 3 pg. communication; 1 replacement sheet of drawings; claims underlined (1 pg.); Declaration Pursuant to 37 C.F.R. § 1.47(A) (8 pages); 1 pg. facsimile coversheet; Added Page To Combined Declaration And Power Of Attorney For Signature By Joint Inventors On Behalf Of Non-Signing Inventors Who Refuses To Sign Or Cannot Be Reached (37 Cfr 1.47(A)) (1 pg.)
Remarks:		
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT		
Firm or Individual	Jonathan H. Spadt	Registration No. (Attorney/Agent) 45,122
Signature		
Date	2/9/2004	

CERTIFICATE OF TRANSMISSION / MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			
			2/9/2004
Name (Print/Type)	Denise Morgan		
Signature		Date	2/9/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Approved for use through 7/31/2006. OMB 0851-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130

Complete if Known

Application Number 09/657,041
Filing Date 9/5/2000
First Named Inventor Leonard Pinchuk
Examiner Name Michael H. Thaler
Art Unit 3731
Attorney Docket No. BSI-430US8

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number 18-0350
Deposit Account Name RatnerPrestia

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below
☒ Credit any overpayments
☒ Charge any additional fee(s) or any underpayment of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	150	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims 20** = 0 X Fee from below = 0
Independent Claims 3** = 0 X Fee from below = 0
Multiple Dependent Claims X Fee from below = 0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	85	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	85	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 0

** or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	26	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	2012	2,520	For filing a request for ex parte reexamination	
1804	920*	2004	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	2005	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	185	Notice of Appeal	
1402	330	2402	185	Filing a brief in support of an appeal	
1403	280	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	130
1807	50	2807	50	Processing fee under 37 CFR 1.17(c)	
1808	180	2808	180	Submission of Information Disclosure Stmt	
8021	40	2821	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	2802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130

SUBMITTED BY

Name (Print/Type)	Registration No. Attorney/Agent	Telephone
Jonathan H. Spadt	45,122	610-407-0700
Signature	Date	2/8/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9198 (1-800-786-9199) and select option 2.